## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION 5:20-cv-44-KDB

(5:18-cr-48-KDB-DSC-5)

RICARDO CERVANTES-SANCHEZ,	)	
	)	
Petitioner,	)	
	)	ODDED
VS.	)	<u>ORDER</u>
UNITED STATES OF AMERICA,	)	
Respondent.	)	
	)	

**THIS MATTER** is before the Court on Petitioner's Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody under 28 U.S.C. § 2255, (Doc. 1).

The Court has conducted an initial screening of the petition under the Rules Governing § 2255 Proceedings, Rule 4(b) 28 U.S.C.A. foll. § 2255, and finds that: (1) the petition has been filed *pro se* under penalty of perjury; (2) the petition appears to be timely; and (3) Petitioner has asserted a colorable claim for relief cognizable under § 2255(a). Upon consideration of the § 2255 Motion to Vacate and the record of prior proceedings, the Court determines that the United States Attorney should file the **Rule 11 and sentencing hearing transcripts** within **thirty (30)** days from entry of this Order.

## **IT IS, THEREFORE, ORDERED** that:

1. The United States Attorney shall file the Rule 11 hearing and sentencing hearing transcripts no later than thirty (30) days from entry of this Order.

Signed: April 23, 2020

Kenneth D. Bell

United States District Judge